

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

RICARDO WILLIAMS,)	
)	
Plaintiff,)	
)	
v.)	Case No. 4:21 CV 140 CDP
)	
CITY OF ST. LOUIS, et al.,)	
)	
Defendants.)	

MEMORANDUM AND AMENDED CASE MANAGEMENT ORDER

Upon due consideration,

IT IS HEREBY ORDERED that the motion to compel [38] is granted to the following extent: defendants shall produce all documents they have previously agreed to produce in this case by August 19, 2022. If defendants refuse to produce any documents that plaintiff has requested in Defendant's Exhibit A to Document 45, they shall send specific (not generalized) written objections to plaintiff as these documents are clearly a subset of those documents previously requested in plaintiff's first request for production of documents.

The Court expects the parties to meet and confer either in person or by telephone in an attempt to resolve any remaining discovery disputes prior to the status conference with the Court on August 26, 2022. If any outstanding discovery disputes remain, the parties shall be prepared to discuss those with the Court as well as the parties' good faith efforts to resolve them. The parties shall also discuss

alternative dispute resolution dates and be prepared to provide those proposed dates to the Court at the status conference. Mediation should be concluded prior to the completion of discovery.

For good cause shown, and at the request of the parties,

IT IS FURTHER ORDERED that the motion to amend [43] is granted as follows: the case management order previously entered is amended only as follows, and the following amended schedule will apply and will be modified only upon a showing of exceptional circumstances:

1. All motions for joinder of additional parties or amendment of pleadings shall be filed no later than **August 4, 2022**.

2. Plaintiff shall disclose all expert witnesses and shall provide the reports or other information required by Rule 26(a)(2), Fed. R. Civ. P., no later than **November 8, 2022**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **December 8, 2022**. Plaintiff shall disclose any rebuttal expert witnesses and shall provide the reports or other information required by Rule 26(a)(2), Fed. R. Civ. P., no later than **February 22, 2023**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **March 8, 2023**.

3. Defendant shall disclose all expert witnesses and shall provide the reports or other information required by Rule 26(a)(2), Fed. R. Civ. P., no later than **January 8, 2023**, and shall make expert witnesses available for depositions, and have depositions completed, no later than **February 8, 2023**.

4. Requests for physical or mental examinations of parties pursuant to Rule 35, Fed. R. Civ. P., must be made no later than **November 30, 2022**, and any exam must be completed by **January 1, 2023**.

5. The parties shall complete all discovery in this case no later than **April 1, 2023**.

6. Any motions to dismiss, motions for summary judgment, motions for judgment on the pleadings, or any motions to limit or exclude expert testimony must be filed no later than **June 1, 2023**. Opposition briefs shall be filed no later than thirty days after the motion or **July 1, 2023**, whichever is earlier. Any reply brief may be filed no later than ten days following the response brief or **July 11, 2023**, whichever is earlier.

II. ORDER RELATING TO TRIAL

This action is set for a **JURY** trial on **October 16, 2023**, at **8:30 a.m.** This is a **two** week docket.

Pursuant to Local Rule 8.04 the Court may tax against one or all parties the per diem, mileage, and other expenses of providing a jury for the parties, when the case is terminated or settled by the parties at a time too late to cancel the jury attendance or to use the summoned jurors in another trial, unless good cause for the delayed termination or settlement is shown.

In this case, unless otherwise ordered by the Court, the attorneys shall, not less than twenty (20) days prior to the date set for trial:

1. **Stipulation:** Meet and jointly prepare and file with the Clerk a JOINT Stipulation of all uncontested facts, which may be read into evidence subject to any objections of any party set forth in said stipulation (including a brief summary of the case which may be used on Voir Dire).

2. **Witnesses:**

(a) Deliver to opposing counsel, and to the Clerk, a list of all proposed witnesses, identifying those witnesses who will be called to testify and those who may be called.

(b) Except for good cause shown, no party will be permitted to call any witnesses not listed in compliance with this Order.

3. **Exhibits:**

(a) Mark for identification all exhibits to be offered in evidence at the trial (Plaintiffs to use Arabic numerals and defendants to use letters, e.g., Pltf.-1, Deft.-A, or Pltf. Jones-1, Deft. Smith-A, if there is more than one plaintiff or defendant), and deliver to opposing counsel and to the Clerk a list of such exhibits,

identifying those that will be introduced into evidence and those that may be introduced. The list shall clearly indicate for each business record whether the proponent seeks to authenticate the business record by affidavit or declaration pursuant to Fed. R. Evid. 902(11) or 902(12).

(b) Submit said exhibits or true copies thereof, and copies of all affidavits or declarations pursuant to Fed. R. Evid. 902(11) or 902(12), to opposing counsel for examination. Prior to trial, the parties shall stipulate which exhibits may be introduced without objection or preliminary identification, and shall file written objections to all other exhibits.

(c) Except for good cause shown, no party will be permitted to offer any exhibits not identified or not submitted by said party for examination by opposing counsel in compliance with this Order. Any objections not made in writing at least ten (10) days prior to trial may be considered waived.

4. Depositions, Interrogatory Answers, and Request for Admissions:

(a) Deliver to opposing counsel and to the Clerk a list of all interrogatory answers or parts thereof and depositions or parts thereof (identified by page and line numbers), and answers to requests for admissions proposed to be offered in evidence. At least ten (10) days before trial, opposing counsel shall state in writing any objections to such testimony and shall identify any additional portions of such depositions not listed by the offering party which opposing counsel proposes to offer.

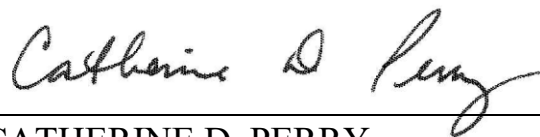
(b) Except for good cause shown, no party will be permitted to offer any interrogatory answer, or deposition or part thereof, or answer to a request for admissions not listed in compliance with this Order. Any objections not made as above required may be considered waived.

5. Instructions: Submit to the Court and to opposing counsel their written request for instructions and forms of verdicts reserving the right to submit requests for additional or modified instructions at least ten (10) days before trial in light of opposing party's requests for instructions. (Each request must be supported by at least one pertinent citation.)

6. Trial Brief: Submit to the Court and opposing counsel a trial brief stating the legal and factual issues and authorities relied on and discussing any anticipated substantive or procedural problems.

7. **Motions In Limine:** File all motions in limine to exclude evidence at least ten (10) days before trial.

Failure to comply with any part of this Order may result in the imposition of sanctions.

A handwritten signature in black ink, reading "Catherine D. Perry", is written over a horizontal line.

CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 16th day of August, 2022.